

## REMARKS

In response to the above-identified Final Office Action, Applicants have amended their application and respectfully request reconsideration thereof.

Claims 1-4, 9-11, 3-16, and 20-22 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent no. 4,682,284 (hereinafter referred to as Schrofer) in view of U.S. Patent no. 5,954,815 (hereinafter referred to as Joshi).

*To establish a **prima facie** case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.* In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The Final Office Action contends that the combination of Schrofer and Joshi teaches that a plurality of instructions are written to a queue as a set of a predetermined number of instructions, and wherein at least one instruction of the set is indicated as being invalid by an associate valid bit on account of being outside a trace instructions.

As previously stated, Joshi discloses an instruction cache that stores a plurality of lines of instructions, and that a new line is read from this instruction cache every clock cycle. Joshi further discloses that if a branch is predicted, a valid mask invalidates all instruction in a line after a delay instruction associated with the relevant branch.

In contrast, the independent claims of the present application each require a first microinstruction that is indicated as being invalid on account of being outside a trace of microinstructions. To further clarify, the independent claims have now each been amended to recite:

*the trace of microinstructions corresponding to a macroinstruction and comprising a sequence of microinstructions.*

The cited references, when considered singularly or in combination, simply do not disclose all limitations of the independent claims of the present application.

A number of the remaining dependent claims of the present application also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of references. However, as each dependent claim is deemed to include the limitations of the claims from which it depends, the above amendments and remarks also serve to address these rejections.

In conclusion, the Applicants believe that all objections and rejections raised in the Final Office Action have been addressed and withdrawal of these objections and rejections is respectfully requested. Furthermore, the Applicants believe that all claims are now in a condition for allowance, which is earnestly solicited.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicants hereby request such an extension.

Respectfully submitted,  
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